

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

DAVID A. GABALDON,

Plaintiff,

v.

No. 18cv447 JCH/LF

CIVILIAN POLICE OVERSIGHT AGENCY,

Defendant.

**MEMORANDUM OPINION AND ORDER OF DISMISSAL**

**THIS MATTER** comes before the Court on *pro se* Plaintiff's Complaint, Doc. 1, filed May 11, 2018.

The Court has previously imposed filing restrictions on Plaintiff stating: "Plaintiff also will be enjoined from initiating further litigation in this Court . . . unless either a licensed attorney who is admitted to practice before this Court signs the pleading or Plaintiff first obtains permission to proceed *pro se*." Doc. 7 at 2, filed February 22, 2018, in *Gabaldon v. Sedillo*, No. 17cv1106 MV/JHR (D.N.M.) (describing steps Plaintiff must take to obtain permission to proceed *pro se* in this Court).

The Complaint states: "Edward Hardness [sic], Esq. signed the document." The only signature on the one-page Complaint is Plaintiff's. Attached to the Complaint is a two-page letter to Plaintiff from Edward Harness, Executive Director, City of Albuquerque Civilian Police Oversight Agency ("Agency") informing Plaintiff that the Agency administratively closed the complaint Plaintiff filed with the Agency. Mr. Harness is not admitted to practice before this Court and did not sign the Complaint. Plaintiff also did not take the required steps to obtain

permission to proceed *pro se* in this Court. The Court will, therefore, dismiss this case without prejudice.

**IT IS ORDERED** that this case is dismissed without prejudice.

  
UNITED STATES DISTRICT JUDGE